

Richard Bryant

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Hawthorne Public Hearings

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4 RICHARD BRYANT: Good afternoon. I'm Richard  
5 Bryant. I'm here representing the Board of Mineral County  
6 Commissioners at this time. The purpose of this meeting is  
7 to have the public comment on the Department of Energy's  
8 proposed Yucca Mountain storage site for a high-level  
9 nuclear waste.

10 On behalf of the county, I wish to thank the  
11 Department of Energy for their willingness to come down and  
12 conduct this public hearing and for the -- there will be  
13 three persons up here, or three letters read anyway; one  
14 from the governor, which I will do in just a moment, and  
15 then Leatha Barcellos will read Senator Harry Reid's  
16 comments, and then I will go over the county's response to  
17 DOE's proposal, and then it will be open for public  
18 comment.

19 The letter from the governor, again, was  
20 sent September 5th, 2001. This was before what happened  
21 back in New York on September 11th. And it says:

22 Good evening. On behalf of the citizens of  
23 the state of Nevada, I would like to welcome you here this  
24 evening and hope my remarks and the remarks of many  
25 concerned Nevadans, who will speak later, will be taken in

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1 the spirit in which they are intended, that is, honest,  
2 constructive, and impassioned public input on an issue that  
3 is paramount to the health and safety of every Nevadan and  
4 every American whose home, school, or place of business  
5 sits along the proposed paths that the deadliest substance  
6 on earth, if the DOE has its way, will take to Nevada.

7 This debate is not new. As many of you  
8 know, Nevada's fight to keep the nuclear waste repository  
9 from coming to Yucca Mountain has grazed for nearly 20  
10 years. Unlike many of the policy battles that grip  
11 Washington, however, this fight transcends to party  
12 affiliation, socioeconomic classes, race or gender, and  
13 galvanizes Nevadans from every corner of this state in  
14 opposition.

15 Though the debate is not new, I must say  
16 that recent developments, those that bring us here tonight,  
17 are quite alarming and raise a lot of new concerns. The  
18 very purpose for this meeting is in question. You have  
19 invited me and many good people here tonight so you and the  
20 Department of Energy can get gather public comment on  
21 scientific evidence that is not complete and has not been  
22 made public. Public comment, in the absence of this

23 all-important evidence, is premature and grossly  
24 irresponsible. Ladies and gentlemen, this is not the way  
25 we do business in Nevada, and certainly this is not the way

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1 the government should handle its affairs.

2 I'm very disappointed that you have chosen  
3 to disregard essentially all of my office's recommendations  
4 and decided to hold these meetings prematurely and over our  
5 reasonable objections. We in Nevada will not stand for it.  
6 Therefore, I would strongly advise and today formally  
7 request that you schedule additional hearings over the  
8 course of the coming months across Nevada to give our  
9 citizens and their elective leaders a fair and appropriate  
10 chance to respond to your completed findings. And I assure  
11 you my outrage at the lack of protocol that has permeated  
12 this process will be detailed in letters directly to  
13 Secretary Abraham and the President. It is my sincerest  
14 hope that you recognize this error and your duty to correct  
15 it.

16 I don't have to remind anyone here today  
17 that it was not long ago that Nevadans and all Americans  
18 were assured that nuclear testing was safe. It was less  
19 than 50 years ago. Since that time, the DOE admitted that

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20 the aftermath of the testing of the hydrogen bomb at Yucca  
21 Flats caused innocent Americans to die and that cancer  
22 benefits should be made to the families of the dozens of  
23 men and women who were contaminated by the foul from  
24 nuclear testing.

25 I am not talking about casualties of war in

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1 some distant country. I'm talking about the small farmers  
2 in neighboring Utah who tragically suffered from  
3 contaminated nuclear error. I am talking about the Nevada  
4 workers and their families who took the government at its  
5 word and trudged to and from the test site every day with  
6 assurances they were not in harm's way. I'm talking about  
7 generations of patriotic American families financially  
8 wiped out fighting cancer while they awaited some word of  
9 admission or assistance from their government.

10 The DOE, pathetically, only made that  
11 admission just a few years ago, and it came only after  
12 years of denial and government red tape. And just  
13 yesterday, we learned for the first time that germ warfare  
14 testing, imagine, germ warfare testing, was conducted at  
15 that same test site without any knowledge whatsoever by our  
16 own congressional delegation or my office.

17           With a track record like this, it is no  
18 wonder that the Department of Energy lacks credibility, not  
19 only in Nevada but also in our neighboring states. Given  
20 the history, I trust you can understand why I view this  
21 proceeding as morally illegal, if not technically so. It  
22 violates everything we believe in as Americans. It  
23 duplicates all that was wrong in the past and gives  
24 credence to the mistrust and cynicism harbored by so many  
25 of our people.

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1           Our concerns are clear. This wonderful  
2 state has been ignored for far too long. We demand  
3 fairness, and we demand accountability in this process. We  
4 will not sit idly by and let the Department of Energy run  
5 roughshod over our citizens with empty promises and bad  
6 science. We did it once in good faith as proud and loyal  
7 Americans, but sadly we did not get back what we gave, and  
8 we have learned from the past, and we are not about to  
9 repeat it.

10           Again, that is the statement from Governor  
11 Guinn.

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25 RICHARD BRYANT: Leatha, thank you, and please

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1 extend our appreciation to Senator Reid for his response.

2 I now have a copy of the county's response,

3 and I would like to read that into the record.

4 This is entitled "Mineral County's Comments

5 to the Department of Energy's Yucca Mountain Project Site

6 Recommendation for Spent Nuclear Fuel and High-level

7 Radioactive Waste Repository." It says:

8 The Department of Energy states that both

9 geological and engineered, that is man-made, barriers will

10 ensure long-term isolation of the waste from the human

11 environment. The DOE uses the engineered barriers to

12 provide most of the protection, whereas the Nuclear Waste

13 Policy Act of 1992 originally envisioned that most of the

14 protection would be from natural or geological barriers.

15 Mineral County believes that when both natural and

16 engineered barriers are used, the natural barriers should

17 be the basis for isolating the waste.

18 According to the State of Nevada, the

19 following four items are of significant issues when

20 considering Yucca Mountain as a potential repository:

21 (1) Both the DOE and the state agree that water is the  
22 vehicle by which radiation can, and eventually will, escape  
23 the proposed repository, traveling downwards through  
24 fractures in the rock.

25 The DOE and the scientific community accept

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1 that the water levels from the surface to the proposed  
2 repository arisen in 50 years or less. After 50 years, the  
3 water enters the tunnels where the waste is to be deposited  
4 through a series of engineered barriers that the DOE is  
5 proposing to keep water away from the waste.

6 Problems with the barrier system include,  
7 but are not limited to, the following: The DOE proposes to  
8 place a series of titanium drip shields over the disposal  
9 containers. While the DOE believes that these shields will  
10 remain intact for thousands of years, research by the State  
11 of Nevada and the Nuclear Regulatory Commission shows that  
12 because of fluoride dissolved in Yucca Mountain water, the  
13 shields will probably last for less than 100 years.

14 Water penetrating the drip shield contacts  
15 the waste package. DOE is proposing that a nickel alloy  
16 called alloy-22 be used for constructing the waste  
17 packages. DOE is proposing that a -- DOE predicts that no

18 container will be breached due to corrosion in less than  
19 10,000 years. Research done by the state, however,  
20 suggests that because of lead and other trace elements in  
21 the Yucca Mountain environment, the expected lifetime of  
22 the waste packages is probably less than 1,500 years and  
23 could be as little as 500 years.

24 Waste can begin to move out of the  
25 repository to the water table beneath Yucca Mountain in as  
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1 little as 700 years. Both the state of Nevada and the DOE  
2 agree that once the radioactive materials leave the  
3 breached waste containers, they can begin showing up in  
4 wells 11 miles from Yucca Mountain within 500 years.

5 While the DOE's model predicts that waste  
6 containers will remain intact for over 10,000 years,  
7 research sponsored by the state shows that the containers  
8 are likely to corrode much sooner than that. DOE's claim  
9 that Yucca Mountain will affect minimum federal standards  
10 for isolation of this waste for 10,000 years is not  
11 supported by state research, rendering Yucca Mountain  
12 unsuitable for development as a repository.

13 Presently, the DOE's proposed Yucca Mountain  
14 repository will contaminate an aquifer that is now being



15 used for drinking water and irrigation. Not only will the  
16 aquifer be contaminated, it will be contaminated at a level  
17 that is not allowed anywhere else in this country. The  
18 agricultural area that is supported by this aquifer is  
19 currently home to farms, ranchers, and dairies, and those  
20 dairies provide 20 percent of the milk supply for Nevada.

21         The DOE is continuing evaluating the  
22 analytical design scenarios and range of possible design  
23 features. What if analytical, theoretical scenarios are  
24 not conclusive? To date, no specific repository or waste  
25 package design has been selected and analyzed. The

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1 analytical, theoretical scenarios and possible variable  
2 ranges should not be a basis for providing a recommendation  
3 of whether the site is suitable or not as a repository for  
4 high-level radioactive waste. A final design should be  
5 proposed, produced, and analyzed before such a  
6 recommendation could be made.

7         The radioactive waste should not be buried  
8 because there is no way mankind can predict what will  
9 happen in the future. High risk of transporting, seismic  
10 activity, inclement weather, and the magnitude of this  
11 never-tried-before, unprecedented campaign are only a few

12 reasons why the radioactive waste should not be buried.  
13 The DOE should accept the waste at the site of origin until  
14 alternative ways could be studied so technology can find a  
15 way to reuse this radioactive waste. Thus, a reasonable  
16 no-action alternative is preferred until technology can  
17 provide a better way of eliminating the SNF and the  
18 high-level radio waste -- radioactive waste.

19           The DOE site analysis should include  
20 analysis of the risk of transporting it, funds to monitor  
21 it, costs of the drip shields to be in place at the time of  
22 waste package and placement, leaks and repair, and  
23 mitigation costs.

24           Now, in conclusion, Mineral County believes  
25 the proposed Yucca Mountain project is not a suitable site

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1 as a repository for high-level nuclear radioactive waste.  
2 Mineral County agrees with the State of Nevada's comments  
3 on the DOE's SDEIS.

4           The DOE, with all this time and study, still  
5 fails to appropriately reflect the unique nature and scope  
6 of the Yucca Mountain program. It does not adequately  
7 assess impacts associated with the repository and related  
8 activities, and it is not in compliance with either the

9 letter or the spirit of the NEPA. The state formally  
10 reiterates its assertion that a programmatic environmental  
11 impact statement for a high-level waste program should have  
12 been and still should be prepared.

13         The unique first-of-a-kind nature,  
14 complexity, and unprecedented time scale of a federal  
15 high-level waste program requires that the preparation of  
16 the PEIS with project-specific EISs for related program  
17 elements tiered to the PEIS.

18         The HLW program is too massive in scope and  
19 overwhelming in complexity for DOE to attempt to use a  
20 single EIS as a vehicle for assessing impacts and making  
21 programmatic decisions. By preparing a narrowly focused,  
22 nonprogrammatic EIS, such as the draft release for comment,  
23 and then indicating that it will be the basis for some  
24 program decisions and not for others, DOE is circumventing  
25 the intent of the National Environmental Policy Act.

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1         The shipping campaign has changed for both  
2 the duration and the materials being used. The DOE has  
3 indicated that it will continue performance-confirmation  
4 activities following site approval and designation. Its  
5 analyses are inadequate in so many respects, especially

6 with respect to its transportation elements, and should  
7 address mitigating increased transportation risks and what  
8 mitigation measures from the DEIS remain valid.

9 As tragic as terrorists attacks are, the  
10 magnitude of damage would not come close to what happened  
11 if these terrorist fanatics were to get hold of the  
12 high-level nuclear radioactive waste. The Japanese  
13 incident, the terrorist attacks, and human error, etcetera,  
14 are only a wake-up call and should be heeded to when  
15 considering a campaign of this magnitude. The DOE and the  
16 nation are not ready to take on a campaign of this  
17 magnitude.

18 That completes the county's response to the  
19 proposed repository.

20 So the meeting is now open for all public  
21 comments. We have elected officials. We have county  
22 employees. We have people from the public, and we have  
23 students from the school here, if anyone would like to step  
24 up and express their opinions or views.